

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT GREENEVILLE

JOHNSON SERVICE GROUP, INC.,)
)
Plaintiff,)
)
v.) No.: 2:22-CV-146-KAC-CRW
)
JACKIE DEAN STANHOPE,)
)
Defendant.)

ORDER ADOPTING REPORT & RECOMMENDATION

Before the Court is United States Magistrate Judge Cynthia R. Wyrick’s “Report and Recommendation” (“Report”) entered on June 2, 2023 [Doc. 19]. Plaintiff Johnson Service Group, Inc. provides contractual staffing to the Tennessee Valley Authority (“TVA”) [Doc. 1 at 2]. Defendant contracted with Plaintiff to work as a field supervisor with TVA [*Id.*]. On November 15, 2022, Plaintiff filed a Complaint alleging that “Defendant withheld relevant information” on temporary living allowance (“TLA”) applications and “provided false and misleading documents to Plaintiff, which resulted in him receiving over \$80,000 in improper TLA payments” [Docs. 19 at 3; 1 at 5-6]. A process server personally served Defendant on January 24, 2023 [Doc. 8]. Defendant failed to respond to Plaintiff’s Complaint. On February 23, 2023, Plaintiff filed a Request for Entry of Default and submitted a supporting affidavit [Docs. 9, 9-1]. Defendant did not respond. Accordingly, on March 17, 2023, the Clerk’s Office entered default against Defendant and mailed notice to Defendant [Doc. 10].

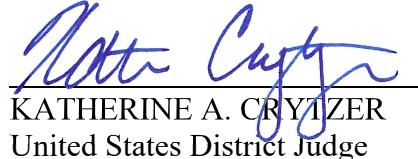
Plaintiff then filed a Motion for Default Judgment [Doc. 11]. Plaintiff submitted an affidavit requesting that the Court enter default judgment against Defendant in the amount of \$80,857.70, plus interest and costs [Doc. 11-1]. On May 30, 2023 Judge Wyrick held a hearing to

determine damages [Doc. 15]. Defendant did not appear for the hearing [*See id.*]. At the hearing, Plaintiff explained that TVA provided Plaintiff \$80,857.70 to disperse to Defendant as TLA payments based on Defendant's representations on various TLA applications [Doc. 19 at 7]. Following discovery of Defendant's fraud, TVA sought repayment of the full \$80,857.70 from Plaintiff [*Id.* at 7]. Ultimately, Plaintiff and TVA reached an agreement whereby TVA accepted \$59,000 from Plaintiff in full satisfaction of TVA's claims against Plaintiff [*Id.* at 7].

In her Report, Judge Wyrick recommends that the Court grant Plaintiff's "Motion for Default Judgment," [Doc. 11], and award Plaintiff damages in the amount of \$59,000 [*See Doc. 19 at 11*]. Neither Party has objected to the Report, and the time to do so has passed. *See* 28 U.S.C. § 636(b)(1); Fed. R. Civ. P. 72(b)(2).

After reviewing the record, the Court **ACCEPTS** and **ADOPTS** Judge Wyrick's Report [Doc. 19] under 28 U.S.C. § 636(b)(1) and Federal Rule of Civil Procedure 72(b)(2). The Court **GRANTS** Plaintiff's "Motion for Default Judgment," [Doc. 11], and **AWARDS** Plaintiff damages against Defendant in the amount of \$59,000. An appropriate judgment shall enter.

IT IS SO ORDERED.



KATHERINE A. CRYTZER
United States District Judge